

TESTIMONY OF KENDALL CARVER

***Before “The House Subcommittee on National Security,
Emerging Threats, and International Relations,
Committee on Government Reform”***

**Hearing Scheduled For
Tuesday, March 7, 2006 at 2 p.m. Room # 2154**

**Concerning Special Hearing entitled
“*International Maritime Security II: Law Enforcement, Passenger
Security and Incident Investigation on Cruise Ships*”**

The Disappearance of Merrian Carver

I should like to thank the Committee for the opportunity to present this testimony concerning the actions of the Royal Caribbean Cruise Line in connection with the disappearance of my daughter Merrian Carver.

Merrian disappeared during the last week of August 2004. We contacted the police in Cambridge, Massachusetts where she lived. They determined through credit card transactions that she had purchased a round-trip airline ticket to Seattle, Washington and a ticket on the Celebrity Cruise Line Ship *Mercury* for a cruise leaving Seattle on August 27, 2004, going to Alaska and landing in Vancouver. Merrian disappeared from that ship.

I have provided supporting material to the Committee, which goes into considerable detail, and I'd like to summarize our experience with the cruise line. Since we were not being provided the necessary answers to our questions from the Risk Management Department of the Royal Caribbean Cruise Line we retained both private investigators and law firms to investigate the disappearance. After some months, they uncovered the following facts:

- The steward servicing my daughter's cabin reported her to be missing to his supervisor each day for five days. The supervisor told the steward "just do your job and that's it".
- At the end of the cruise, some of Merrian's clothing and personal property was disposed of and other items were put into storage in Florida. No effort was made to report Merrian's disappearance either to the authorities or to her family. The effect of these actions and lack of action kept Merrian's disappearance from being discovered until the Cambridge Police acted which was over three weeks after her disappearance.
- During the third week in September, the management of Royal Caribbean – "*the owners*" of the cruise ship – took steps to cover up the facts concerning her disappearance. These actions are covered in documents we have provided to the Committee.
- At the end of September, we hired the detective agency of "*Kroll and Associates*" and the law firm of "*Blake and Associates*" to investigate Merrian's disappearance.
- Throughout the investigation the Royal Caribbean Cruise Line took steps to impede the efforts of our detective agency and our law firm. Officials of the cruise line, both provided inaccurate and

misleading information and kept our investigators from questioning members of the ship's crew.

- Cruise line officials also withheld information that would have been helpful, including some information we had requested by subpoenas issued on December 2, 2004 and January 24, 2005.
- Only after we went to the courts in Florida and Massachusetts at the end of December 2004 we were able to force members of the crew that had knowledge concerning her disappearance to be deposed.
- On January 16th and 17th of 2005 we finally deposed the steward and the head of the hotel on the cruise ship. At that point we discovered for the first time the fact that our daughter had been reported missing daily starting August 29, 2004 and no action was taken. In other words, it took us 4 ½ months to interview any member of the crew and cost over \$75,000 in legal and detective fees.
- On February 9, 2005, we had received only one item of those requested in our subpoenas, so I wrote a letter (a copy of which I have submitted to the Committee) to each member of the board of the Royal Caribbean Cruise Line along with the Chairman and CEO asking for their help in obtaining the requested information.
- A year later, some requested information has still not been provided.

I do not understand why a reputable corporation would attempt to cover up the disappearance of a passenger. Did some of these officials assume that families would not have the financial or emotional resources to investigate the matter thoroughly?

The needless stress that my wife and I have endured while having to struggle with a large corporation for information about our missing daughter made our loss even more difficult to bear.

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As a result of our activities and the hearings of "The House Subcommittee on National Security, Emerging Threats, and International Relations, Committee on Government Reform", the public has received some insight into the facts concerning Merrian's disappearance, and we have received many comments following articles appearing in newspapers, magazines and special news reports

made on both international and local media. One comment sent to the "Arizona Republic" included the following:

"And, I agree with the other respondents; Royal Caribbean is grossly negligent in this case. By dragging their feet, providing misinformation, getting rid of a person with information (the supervisor) and destroying evidence they are at least guilty of obstruction of justice. (**Diane6487**, November 10, 2005 11:52AM)"

I have heard on television the officers of the Royal Caribbean cruise line state that they follow all the proper rules in regard to the safety of their passengers, I have to ask which rulebook they are following. The procedures they used in our case were clearly, by their own documents, designed to cover-up the true facts.

Are we unique? If you read the attachments in my summary documents you will find that few, if any individuals are ever successfully convicted of a crime on a cruise ship. In fact, by their own statement in the "*Jacksonville Business Journal*" in June of 2005, the Royal Caribbean representative, Michael Sheehan, indicated that they do not keep statistics on missing passengers.

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What can we conclude from our experience and the experience of other victims?

1. If something happens to you or a loved one on a cruise ship, you are on your own. Don't expect crew of the ship or governmental officials onshore to assist you in your effort.
2. Because of jurisdictional issues, you cannot assume what laws will govern your situation. This issue was reviewed in great detail in the February 26, 2006 issue of the New York Times.
3. It is my opinion that the current system is broke and desperately needs reform to assure the safety of passengers on a cruise ship.
4. Unless something is changed in the current regulations, the cruise line industry will be able to treat the next family as we were treated. God save the next family.

After the Subcommittee's last hearing in December, the Smiths and I determined that we should try to help change what is going on with this industry. As a result, we have formed an organization that includes other victims.

This organization is International Cruise Victims. Our website can be found at www.internationalcruisevictims.org.

This organization was formed early this year and now has victims coming to us from all over the world. The stories I have heard from these victims as to their treatment by the cruise ships make me sick. Many of these stories can be read at our website. For the first time, victims now have a place to come to take action and get support from other members.

If I were part of the Management of a cruise line or on the Board of Directors I would be concerned with the various stories from victims concerning their treatment by the cruise line personnel since I assume they do have a responsibility for the safety of their passengers.

We are also hearing from the general public plus crewmembers onboard ships. The following statement was received from a crewmember this past week.

"As a crew member from Vancouver Canada, with employment on several major lines over the past 8 years, your stories only touch the tip of the iceberg. It is the exhaustive effort you make on behalf of your loved ones, which keeps this issue front and centre. Many families have not come forward; instead they intend to believe the cruise line when they reiterate their tired over-used response "that it was a suicide". In addition to the many cruise guests missing, there are numerous crew deaths each year, which go unreported because most crew are from 3rd world countries and have no idea of what to do other than believe the cruise line. I applaud your efforts and as a crewmember on the inside track, I can tell you are on the right track in holding cruise lines accountable."

What action needs to be taken? On a separate document members of International Cruise Victims have prepared a list of various suggestions that need to be considered to improve the safety and accountability of the cruise line industry. While we do not have the final answer, we feel that this is a starting point.